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March 5, 2025

Maine Legislature Joint Standing Committee on Marine Resources

Testimony opposed to LD 553: "An Act to Assert State Sovereignty over Ocean Waters and Marine Resources up to 12 Nautical Miles off the State's Coast" as it now reads.

Provided by: Dr David Porter, PhD

Senator Tepler, Representative Hepler and member of the Marine Resources Committee, I am a retired University Professor, a resident of Brooklin, Maine, for 18 years and now a private citizen with a strong interest in the conservation of our intertidal rockweed forests that are foundational to the support of the coastal marine fisheries.

I am in full agreement with the intention of LD 553, as expressed in the emergency preamble of the document, to protect and enhance the offshore fisheries that are integral to our lobster industry. But in my reading of the language of LD 553 describing "territorial waters" (§2. 1-A), I am concerned that the phrase "all waters within the rise and fall of the tide ...." refers to the zone between the mean high water and mean low water. This intertidal part of the coast has been determined to be the property of the upland landowner (eg. Ross v. Acadian SeaPlants) and is counter to "state sovereignty".

If that phrase, "all waters within the rise and fall of the tide ...." were to be deleted from the proposed legislation, I and others interested in rockweed conservation would be supportive of LD 553, but in its present language, I must urge you to vote "ought not to pass". Thank you for your attention and consideration.

Respectfully,

David Porter  
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